

REMARKS/ARGUMENTS

This amendment is in response to the Office Action of June 4, 2008. Claims 1-14 are pending in the present application. Claims 1-14 have been rejected. Claims 1, 5, 8, and 11 have been amended to address 35 U.S.C. §112 rejections, and to correct typographical and grammatical errors, in order to place the claims in condition for allowance. Support for the amendments to the claims is found on page 4, lines 13-19. Applicants respectfully submit that no new matter has been presented. New claims 15-18 have been added. Accordingly, claims 1-18 remain pending. For the reasons set forth more fully below, Applicants respectfully submit that the claims as presented are allowable. Consequently, reconsideration, allowance, and passage to issue are respectfully requested.

Rejections Under 35 U.S.C. §112

Examiner Stated:

Claims 1-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) content subject matter, i.e., the telephone provides a three-way call recited on claims 1 (lines 5-6), 5 (lines 3-4), 8 (line 5) and claim 11 (lines 4-5), which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention...

In response, claims 1, 5, 8, and 11 have been amended to address the above rejections. Specifically, claims 1, 5, 8, and 11 have been amended to state that “the telephone joins the calling party, the called party, and the voice mailbox, wherein the telephone bridges a three-way call between the calling party and the voice mailbox.” Support for these amendments is found on page 4, lines 13-19.

Applicants respectfully submit that amended claims 1, 5, 8, and 11 now overcome the rejections. Dependent claims 2-4, 6-7, 9-10, and 12-14 depend from amended independent claims 1, 5, 8, and 11, respectively. Accordingly, Applicants respectfully submits that claims 2-4, 6-7, 9-10, and 12-14 overcome the objections for at least the same reasons as claims 1, 5, 8, and 11.

Rejections Under 35 U.S.C. §103

Examiner Stated:

Claims 1-14, as best understood in light of the 35 U.S.C. 112, first paragraph rejections under 35 U.S.C. 103(a) as being unpatentable over Foladare et al. (U.S. Patent 5,960,064) in view of Rajagopalan et al. (U.S. Pub. 2005/0084087). ...

Applicants respectfully disagree with the Examiner's rejections. Applicants agree with the Examiner that Foladare does not teach a telephone that comprises an option key that enables a user to turn on or turn off voice mail screening. The Examiner has relied on Rajagopalan to cure the defects of Foladare. However, Applicants respectfully submit that Rajagopalan does not qualify as prior art under 103(a), because the February 27, 2002 priority date of Rajagopalan is after the December 19, 2000 filing date of the present application.

Therefore, Foladare in view of Rajagopalan does not teach or suggest the cooperation of elements as recited in amended independent claims 1, 5, 8, and 11, and these claims are thus allowable over Foladare in view of Rajagopalan.

New claims 15-18

New dependent claims 15-18 have been added to further define the scope and novelty of the present invention. Specifically, claims 15-18 recite “wherein a number “1” is pressed to turn the voice mail screening on, and wherein a number “2” is pressed to turn the voice mail screening off.” Support for these claims is found on page 5, lines 11-14. Applicants respectfully submit that no new matter has been presented.

As noted above, Applicants agree with the Examiner that Foladare does not teach a telephone that comprises an option key that enables a user to turn on or turn off voice mail screening, and Rajagopalan does not qualify as prior art under 103(a). Accordingly, Foladare in view of Rajagopalan also does not teach or suggest at least one option key that enables a user to turn on or turn off voice mail screening, “wherein a number “1” is pressed to turn the voice mail screening on, and wherein a number “2” is pressed to turn the voice mail screening off.” Therefore, claims 15-18 are allowable over Foladare in view of Rajagopalan for at least these reasons.

Dependent claims

Dependent claims 2-4, 6-7, 9-10, and 12-18 depend from amended independent claims 1, 5, 8, and 11, respectively. Accordingly, the above-articulated arguments related to amended claims 1, 5, 8, and 11 apply with equal force to claims 2-4, 6-7, 9-10, and 12-18, which are thus allowable over the cited reference for at least the same reasons as amended claims 1, 5, 8, and 11.

CONCLUSION

Applicants' attorney believes this application is in condition for allowance.
Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,

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